IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6691 OF 2004

Smt.Shakuntala Shripal Jangale
& Anr. ...Petitioners

Versus

Dhondi Dattu Bhutal & Ors. ...Respondents

.....

Mr.A.A.Kumbhakoni with Mr.A.M.Kulkarni
for Petitioners.
None for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

AUGUST 19, 2004.

P.C.

1. Heard Counsel for the Petitioners.

2. The view taken by the two Courts below is a possible view. At the interlocutory stage, no interference is warranted in exercise of writ jurisdiction, merely because another view can also be taken.

3. The Court below has, in substance, emphasised on the fact that the names of the Plaintiffs are shown in the record of rights column in respect of the suit property right from 1956 to 1999 and that, the proceedings before the revenue authority have also concluded in favour of the Plaintiffs. If it is so, no fault can be found with the Court below in granting interim relief to the Plaintiffs during the pendency of the Suit. Dismissed.

4. Having regard to the nature of controversy, the Trial Court will be well advised to expedite the Suit, if such application is made by any party.

A.M.KHANWILKAR, J.